

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
JOSEPH FESSALE and MITZIE SIMON,

Plaintiff,

-against-

THE CITY OF NEW YORK, SGT. EDWARD BABINGTON,  
SGT. BADILLO, P.O. MARK BEELITZ, P.O. MEHMOOD,  
P.O. DIXON, P.O. DAUGHTRY, P.O. JOSEPH, and LT.  
ORTLIEB,

Defendants.  
-----X

**STIPULATION AND ORDER OF  
DISMISSAL**

11 CV 894 (KAM) (VVP)

WHEREAS, the parties have reached a settlement agreement and now desire to resolve the remaining issues raised in this litigation, without further proceedings and without admitting any fault or liability;

NOW, THEREFORE IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed with prejudice.

Dated: August 1, 2012  
New York, New York

CHIDE EZE, ESQ.  
*Attorney for Plaintiffs*  
225 Livingston Street, 4<sup>th</sup> Floor  
Brooklyn, New York 11217

By: \_\_\_\_\_

Chide Eze, Esq.

s/KAM

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
*Attorney for Defendants*  
100 Church Street, Room 173A  
New York, New York 10007

By: \_\_\_\_\_

Alexandra Corsi

SO ORDERED: ^

\_\_\_\_\_  
KIYO A. MATSUMOTO, U.S.D.J.

*dated: August 2, 2012*